

## REMARKS

Applicant requests favorable reconsideration and allowance of this application in view of the foregoing amendments and the following remarks.

Claims 24-26, 30-32, 38-40, 43, 44, 46, 51, 64-66, 68, 69, 74, 79, and 80 are pending in this application, with Claims 24, 46, and 64 being independent.

Claims 27-29, 33-37, 41, 42, 45, 47-50, 52-63, 67, 70-73, 75-78 and 81 have been cancelled without prejudice. Claims 24, 25, 26, 30-32, 38-40, 43, 44, 46, 51, 64-66, 74, 79, and 80 have been amended. Applicant submits that support for the amendments can be found in the original disclosure and therefore no new matter has been added.

Claims 24-81 stand variously rejected under 35 U.S.C. 102(b) or 35 U.S.C. §103 as being anticipated by or obvious over U.S. Patent No. 5,302,811 (Fukatsu). Applicant respectfully traverses the outstanding rejections for the reasons discussed below.

As recited in independent Claim 24, the present invention includes, *inter alia*, the features of inputting money information, inputting price information attached to electronic content information provided by an information provider terminal, judging a use permission of the electronic content information in accordance with the money information and the price information, and processing the electronic content information so as to enable use of the electronic content information in accordance with the result of the judging. Applicant submits that the cited art fails to disclose or suggest at least these features.

Fukatsu merely discloses a point of sales terminal apparatus for an article sales system in which “cash” may also be purchased. (Col. 1, lines 7-10, 60-61.) In addition to purchasing articles, a customer may enter a “cashing amount” (i.e., an amount of cash to be obtained) and pay

for the articles and cash together. A receipt is issued that lists the items purchased and the cash withdrawn, as shown in Fig. 20D for example. However, Fukatsu only discloses the sale of articles or dispensing cash, and it does not disclose anything about the sale of electronic content information provided by an information provider terminal. Accordingly, that patent does not disclose or suggest at least the feature of inputting price information attached to electronic content information provided by an information provider terminal. Further, since only the sale of articles and not electronic content information is disclosed, Fukatsu also does not disclose or suggest at least the step of processing electronic content information so as to enable use of the electronic content information.

The Office Action refers to Col. 17, lines 12-51 of Fukatsu. However, that portion does not disclose or suggest processing electronic content information to enable use of the electronic content information in accordance with a judging step, nor does it disclose or suggest inputting price information attached to electronic content information. Rather, the cited portion of the patent merely discloses that a customer can enter a cashing amount, type of payment, and password. When the transaction is approved, the depositing/withdrawing apparatus 200 dispenses cash corresponding to the designated cashing amount and a receipt is printed. The clerk then hands the purchased articles, the receipt, and the credit card to the customer.

Independent Claims 46 and 64 are respectively a storage medium claim and an apparatus claim having features similar to those of Claim 24.

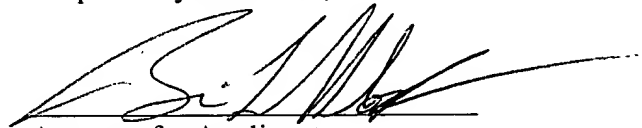
For the foregoing reasons, Applicant submits that the present invention recited in independent Claims 24, 46, and 64 is patentable over the cited art. The dependent claims are

patentable for at least the same reasons as the independent claims, as well as for the additional features they recite.

In view of the foregoing, Applicant submits that this application is in condition for allowance. Favorable reconsideration, entry of this amendment, withdrawal of the outstanding rejection, and an early Notice of Allowance are requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should be directed to our below-listed address.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Brian L. Klock', written over a horizontal line.

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